

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:08MD1932-MU**

**IN RE FAMILY DOLLAR FLSA
LITIGATION**

Concerning Itterly v. Family Dollar Stores

ORDER

This matter is before the Court on the parties Joint Motion for Dismissal of Opt-In Plaintiffs Diane Jorgensen and Vicki Shaw (Doc. No. 686), filed October 24, 2011. The parties have agreed to this dismissal, with prejudice, pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure with each party to bear their own costs.

IT IS, THEREFORE ORDERED that:

- (1) The Joint Motion for Dismissal as to Opt-In Plaintiffs Diane Jorgensen and Vicki Shaw (Doc. No. 686) is **GRANTED**. Plaintiffs' claims against Family Dollar are dismissed with prejudice, with each party to bear its own fees and costs;
- (2) The Court finds that there is no just reason to delay entry of final judgment for Family Dollar with respect to Opt-In Plaintiffs Diane Jorgensen and Vicki Shaw's claims against Family Dollar;
- (3) The Clerk is directed to enter final judgment, pursuant to Rule 54(b), for Family Dollar with respect to Opt-In Plaintiffs Diane Jorgensen and Vicki Shaw.

SO ORDERED.

Signed: October 26, 2011

A handwritten signature in cursive script, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge



**United States District Court
For The Western District of North Carolina
Charlotte Division**

In re: Family Dollar

JUDGMENT IN A CIVIL CASE

3:08md1932

Concerning Itterly v. Family Dollar,

Defendant(s).

DECISION BY COURT. This action having come before the Court by motion and a decision having been rendered;

IT IS ORDERED AND ADJUDGED that Judgment is hereby entered in accordance with the Court's October 26, 2011 Order regarding the dismissal of Opt-In Plaintiffs Diane Jorgensen and Vicki Shaw.

Signed: October 26, 2011



Frank G. Johns, Clerk
United States District Court

